PATENT

Docket No.: 20609/18[illegible] (PD-98076)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Miller et al.	Examiner: Laura Lynne Stockton
Serial No.	:	09/811,838	
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Filed	:	March 19, 2001	
For	:	LPA RECEPTOR AGONISTS AND ANTAGONISTS AND METHODS OF USE	

RESPONSE TO RESTRICTION REQUIREMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

In response to the June 7, 2002, written restriction requirement, applicants hereby elect Group I (i.e. claims 1, 3-7, 12) with traverse. Applicants submit that the claims of the present application are closely related and, therefore, require common areas of search and consideration. Since no benefit is derived from imposing this restriction requirement, it should be withdrawn in its entirety.

In addition, applicants note that the conditions recited for Groups III, VII, and XIV (and, therefore, Groups XVIII, XXII, XXVIII, XXXIII, XXXVII, XXXXIV, XXXXVIII, LIII, LIX, LXIII, LXVII, LXXIV) cannot exist. Specifically, Group III requires "all three of X^1, X^2, and X^3 [to be] $(HO)_2PO\text{-}Z^1$," Group VII requires "all three of X^1, X^2, and X^3 [to be] $(HO)_2PO\text{-}Z^2\text{-}P(OH)O\text{-}Z^1$-," and Group XIV requires "all three of X^1, X^2, and X^3 [to be] $R^1\text{-}Y^1\text{-}A$," while claim 1 explicitly excludes these conditions. Therefore, these groups should be withdrawn.

In response to the election of species requirement, applicants hereby elect the following species with traverse: 2-(acetylamino-3-oxo-3-(tetradecylamino)propyl dihydrogen phosphate (also designated as compound 56a).

Compound 56a has the formula (I) where X^1 is $(HO)_2$ PO-Z^1 with Z^1 being O; Q^1 is H_2; X^2 is $R^1\text{-}Y^1\text{-}A$ with A being a direct link, Y^1 being NR^2 with R^2 being H, and R^1 being

C14 alkyl; Q^2 is =O; and X^3 is R^1-Y^1-A with A being a direct link, Y^1 being NR^2 with R^2 being H, and R^1 being acetyl. Claims reading on compound 56a include claims 1, 3, and 7. Figure 3 illustrates preparation of compound 56a, as described in Example 5. Examples 10-12 describe the testing of compound 56a in a Xenopus oocyte assay, on HEY ovarian cell migration, and cytotoxicity to prostate cancer cell lines.

Applicants traverse the election of species requirement on the basis that the subgenus to which the present application has been restricted, Group I, is sufficiently small enough that the entire subgenus can be searched without undue burden on the U.S. Patent and Trademark Office.

Respectfully submitted,

Date: August 20, 2002

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office P.O. BOX 2327 Arlington, VA 22202, on the date below.

Date 8/20/02 | Wendy L. Barry